

about how I feel about your country." He said, "In 1944, I was 14 years old and standing on a street corner in Paris, France, when the U.S. Liberation Army marched into Paris, France, and freed my country from the Nazis." He said, "A young black American soldier reached out his hand and gave that 14-year-old boy an apple. I will go to my grave remembering that moment. We hadn't had much fruit under the Nazi occupation for a long while. But I will remember that moment that young soldier handed me an apple." He said, "You should understand what your country means to me, to us, to my country."

I remember, again, the sacrifice that was made by so many Americans in World War II, the sacrifice made by what Tom Brokaw calls, appropriately, the "greatest generation."

It seems to me appropriate that we ask those involved in the planning of this memorial, who are once again trying to evaluate exactly the conditions under which it is built, to allow this to go forward, allow this for the people who have spent the time, planned this memorial, and raised the money to make this happen for the World War II veterans. We owe our veterans that, and we don't owe them further delay. Let's not have further delay. Let's get the memorial built.

#### BETTER EDUCATION FOR STUDENTS AND TEACHERS ACT—Continued

Mr. MURKOWSKI. Mr. President, our education system is in need of serious reform. Thirty-five years ago, Congress enacted the first Elementary and Secondary Education Act. Billions of dollars have been spent on Title I, the program that is the cornerstone of the federal investment in K through 12 education for disadvantaged children.

However, only 13 percent of low-income 4th graders score at or above the "proficient" level on national reading tests. As the recently released results of the 2000 National Assessment of Education Progress show, the reading scores of 4th grade students have shown no improvement since 1992.

Even worse, no progress has been made in achieving the program's fundamental goal, narrowing the achievement gap between low-income and upper-income students. It is obvious that the current system has serious problems and it is time that we make serious reforms.

Some of my colleagues feel that the solution is to throw a huge amount of money at education. I disagree. Yes, education funding should increase, but continuing to expand the current federal system, which is characterized by its many duplicative and ineffective programs is not the answer.

We should be working together to ensure that education legislation estab-

lishes real standards for measuring academic achievement, streamlines federal education programs, promotes local flexibility, encourages and protects good teachers, and gives parents of students who are trapped in failing schools the opportunity to seek a better education for their children.

It is time to do something different. Although focusing on curriculum and teaching methods have fueled many of our past debates it is now important to shift our focus to the more general and structural aspects that affect learning. We need to allow parents, teachers, and schools to decide what is best for their children.

I believe that decisions about a child's education should be made by people who actually know the child's name. I do not believe that bureaucrats and politicians in Washington should dictate how states and localities spend education funds. Students in my home state of Alaska face unique challenges due to the diverse population, size of the state, and the isolation faced in rural communities. We need greater flexibility in order to meet our students' needs.

The President's education plan demands that states demonstrate student academic gains in reading, and math, as well as progress in reducing the achievement gap between disadvantaged students and their peers. We need accountability so that we can be assured that there's academic achievement. All of the educators that I speak to in Alaska tell me that they are not afraid of accountability. However, they maintain that they need more flexibility to reach high academic goals.

I agree with the President that we should consolidate federal elementary and secondary programs, insist upon high standards and accountability, and allow states and localities the flexibility they need to educate children.

It is time to recognize that we need to do something different. I call on my colleagues to work together to pass legislation that is "real" education reform.

#### EXECUTIVE SESSION

##### NOMINATION OF JOHN ROBERT BOLTON OF MARYLAND TO BE UNDER SECRETARY OF STATE FOR ARMS CONTROL AND INTERNATIONAL SECURITY

The PRESIDING OFFICER. The hour of 4 p.m. having arrived, the Senate will now go into executive session and proceed to the consideration of Executive Calendar No. 39, which the clerk will report.

The legislative clerk read the nomination of John Robert Bolton of Maryland to be Under Secretary of State for Arms Control and International Security.

The PRESIDING OFFICER. Under the previous order, there shall now be 3 hours of debate on the nomination.

Under the previous order, there shall also be 60 minutes under the control of the Senator from North Dakota.

The Senator from North Dakota is recognized.

Mr. DORGAN. Madam President, on the John Bolton nomination, I understand that I am to be recognized for an hour.

The PRESIDING OFFICER. The Senator is correct.

Mr. DORGAN. Madam President, I ask unanimous consent to give the final 15 minutes of my hour to Senator WELLSTONE.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DORGAN. Madam President, the issue before the Senate is the nomination of the Under Secretary of State for Arms Control and International Security. The proposed nominee is Mr. John Bolton. I don't know John Bolton from a cord of wood, and I have no ill will toward him, but I come to the floor opposing this nomination in the most vigorous way possible.

We have a circumstance in this world where there exist somewhere in the neighborhood of 30,000 to 40,000 nuclear weapons. They exist in relatively few countries. We have a large stockpile of nuclear weapons, Russia has an even larger stockpile of nuclear weapons, and a few other countries are members of the nuclear club. It was demonstrated about a year and a half ago, or so, that both India and Pakistan have nuclear weapons. They don't like each other at all. Each tested nuclear weapons underneath the other's chin. One wonders about the wisdom of that. It demonstrated for all of the world the danger of so many nuclear weapons, the proliferation of nuclear weapons.

So it is our job, it is incumbent upon us in this country, to be a world leader and to stop the spread of nuclear weapons and to be a world leader in trying to reduce the number of nuclear weapons on this Earth. This is our responsibility.

The area of our Government in which leadership is required is that of Under Secretary of State for Arms Control. That is where one would expect to see leadership with respect to arms reductions, arms control talks, and stopping the proliferation of nuclear weapons.

President Bush nominated John Bolton for the job. He is exactly the wrong nominee. He is exactly the wrong person to put in this position. Again, I do not know him personally. But I know of his thinking and writings and how he has expressed himself in recent years about these subjects. I am going to use some of these expressions, quotes, and articles he has written to demonstrate why I think he should not be confirmed by the Senate.

First, he does not have experience in arms control at all. He has never

served in an arms control position. He has never been part of negotiating groups involved in arms control talks. He has not even written very much about the arms control subject. But he has expressed disdain for arms control and for those who promote it.

I will relate a couple of those statements. He says:

America rejects the illusionary protections of unenforceable treaties.

With respect to the Comprehensive Nuclear Test-Ban Treaty, the CTBT, that we debated in the Senate and defeated, regrettably, nearly 2 years ago, he says the supporters of the Comprehensive Nuclear Test-Ban Treaty are "timid and neo-pacifists."

Let me explain what the test ban treaty is. We do not test nuclear weapons in this country. We decided and announced 8 or 9 years ago that we were not going to test nuclear weapons, so we suspended nuclear testing.

The Comprehensive Test Ban Treaty has been signed by about 150 countries, it tries to get all of the countries to commit to the position we have already taken: to prohibit nuclear testing; a treaty to stop nuclear testing. This Senate voted against that treaty. It is almost unthinkable. This Senate said no to that treaty.

Mr. Bolton says the supporters of that treaty are "timid and neo-pacifists." He, I guess, disagrees. He, I guess, thinks we should not be involved in a treaty with other countries to stop nuclear testing, despite the fact we have already stopped nuclear testing.

What value is it for us to decide we will not be part of a treaty that stops others from doing what we have already decided not to do? It makes no sense to me.

Mr. Bolton says international law is not really law:

Treaties are "law" only for U.S. domestic purposes. In their international operation, treaties are simply "political" obligations.

He says:

While treaties may well be politically or even morally binding, they are not legally obligatory. They are just not "law" as we apprehend the term.

We have been involved in many treaties in this country, most notably and most important to me are the arms control treaties we have negotiated with the old Soviet Union and the arms control treaties we now have with Russia. Mr. Bolton's position is they do not really mean very much; they are just political obligations; they do not mean anything; they have no force and effect in our law.

The arms reduction treaties we have negotiated with the old Soviet Union and now Russia have accomplished a great deal, and someone who discards the notion of reaching these kinds of agreements with other countries, in my judgment, is not thinking very clearly about what our obligation ought to be with respect to stopping

the spread of nuclear weapons and trying to reduce the number of nuclear weapons on this Earth.

Mr. Bolton also expresses rather substantial disdain for the United Nations. He says:

The Secretariat building in New York has 38 stories. If it lost 10 stories, it wouldn't make a bit of difference.

He says:

If I were redoing the Security Council today, I'd have one permanent member because that's the real reflection of the distribution of power in the world [and that member would be] the United States.

Kind of an elitist attitude.

He has expressed disdain for some of our allies for positions they have taken. He has accused Premier Chretien of Canada of "moral posturing."

The Sun, a British newspaper, says Bolton is "one of Tony Blair's strongest critics."

He says the proposed European defense force is a "dagger pointed at NATO's heart."

He says:

Europeans can be sure that America's days as a well-bred doormat for EU political and military pretensions are coming to an end.

Mr. Bolton gloated after the vote on the Comprehensive Nuclear Test-Ban Treaty in the Senate:

The CTBT is dead.

Mr. Bolton has been highly critical of the agreed framework under which North Korea pledged to freeze its nuclear weapons program. He says "the United States suffers no down side" if we never normalize relations with North Korea.

South Korea and Japan, two friends of our country, certainly do not agree with that.

His position that we should give diplomatic recognition to Taiwan contradicts several decades of official American policy.

He says we have no vital interests in Kosovo or the rest of the Balkans. He says:

The problem with Kosovo now is precisely that we do not have concrete national interests at stake, and we are off on a moral crusade. I think there's more than one moral principle in the world, and one moral principle I think we are ignoring in Kosovo is that the President should commit American forces to battle, and possibly to death, only when there is something that matters to us.

The genocide that was occurring in that region was stopped by U.S. intervention. I was as uncomfortable as anyone in this Chamber when we committed troops for that purpose. I understand there is risk. The fact is the genocide was stopped. The killing was stopped and the tens of thousands of people whose lives were saved would not share Mr. Bolton's evaluation of our response to the difficulties in Kosovo.

This President sends us Mr. Bolton's nomination at a time when he is pro-

posing we abandon the ABM Treaty. He did not say it quite that way last week, but his previous statements suggest the ABM Treaty is really of no value and that it ought to be abandoned. And make no mistake, this administration is prepared to and on the road to abandoning the ABM Treaty.

Its first priority is to build a national missile defense system, wants to abandon the Kyoto treaty, and wants to suspend missile talks with North Korea. It opposes the International Criminal Court and International Landmine Convention.

If one listened to President Bush's presentation about a week ago at the National Defense University, one might wonder why he nominated John Bolton. He describes national security policy in moderate terms, talks of consultation and cooperation, and these are concepts that seem totally alien to all the work I have seen expressed by Mr. Bolton in quotes, articles, so on.

Last Friday, an article in the Washington Post by the columnist Charles Krauthammer reveals, I think, the real agenda President Bush and also Mr. Bolton aspire to manage. As Mr. Krauthammer puts it, "the Bush Doctrine abolishes arms control."

These quotes from Mr. Krauthammer's article are instructive:

The new Bush Doctrine holds that, when it comes to designing our nuclear forces, we build to suit.

In other words, it does not matter what other countries think. It does not matter what our agreements are. It does not matter what circumstances exist in the rest of the world. It does not matter if what we do ignites a new arms race. What we do ought to suit ourselves, and it does not matter the consequences.

Nor does the Bush administration fear an "arms race." If the Russians react to our doctrine by wasting billions building nukes that will only make the rubble bounce, let them.

That is saying let us stop this effort to reduce nuclear weapons. Let us build a national missile defense system, and if that ignites a new arms race and we see Russia and China building new offensive weapons, so be it; it does not matter at all.

That is, in my judgment, a pretty thoughtless approach. It does matter. Those who want to see the United States be a leader in stopping the spread of nuclear weapons and reducing the number of nuclear weapons through arms control agreements do believe it matters what we do and believe it matters how others react.

"If others doesn't like it, too bad." This is a fascinating article by Mr. Krauthammer evaluating the approach of the administration and probably underlines why Mr. Bolton is the nominee.

I don't accuse Mr. Bolton of being of bad faith or ill will. He is just wrong on

these issues. This country is making a very big mistake by putting someone with his viewpoint over at State as Under Secretary of State for Arms Control.

Now I will talk about the effect of some of these policies. I will not speak at great length about national missile defense, but we have a threat chart from the Department of Defense, and about the least likely threat we face is an ICBM with a nuclear warhead from a rogue nation or a terrorist. A far more likely threat is a pickup truck with a nuclear bomb. That is a far more likely threat.

The national missile defense being proposed by the President, even if it abrogates and scraps the ABM Treaty, will be kind of a catcher's mitt, put in the sky to catch nuclear missiles that might be fired at us. However, people should understand they are only talking about catching a few missiles because any robust attack could not be defended against by this system. It is designed to defend against someone who will send one, two, three, four, or five missiles. But it will not defend against an accidental nuclear launch by a Russian submarine where they unload all the tubes. It will not defend this country against that. And it puts all our eggs in this basket and ignores the far more likely set of threats.

It is far more likely, if we were to be terrorized by a rogue nation or terrorist state or terrorist group, they would find a delivery device as simple as a pickup truck or a rusty car or a small deadly vial of chemical or biological agents placed at a metro station somewhere. It is far more likely that would represent the terrorist threat using a weapon of mass destruction against the American people. Yet we are determined, absolutely determined, to build a system that will probably cost up to \$100 billion and be a catcher's mitt only in circumstances where someone would launch a couple of missiles.

This country, of course, has thousands of nuclear weapons, and this country would vaporize any terrorist group or any country that launched a nuclear attack against this country. That has always been the case. It is called mutually assured destruction.

The new group that has taken power says that is old fashioned, that doesn't work, or, maybe it worked but it won't work in the future because we have new adversaries—presuming the adversaries are willing to attack us and then to be vaporized by a nuclear response from this country.

Somehow, it seems to me that taking apart arms control treaties that have resulted in real reductions of nuclear weapons and delivery vehicles is a step in the wrong direction. It seems to me not caring whether what we do unilaterally will ignite a new arms race and have the Russians and Chinese building

new, massive offensive weapon systems is not in this country's best interests. Yet that is where we are headed. It is what this administration talks about, and it seems to me to be part and parcel of the type of thing we will see with the John Bolton nomination.

Let me talk for a moment about a former majority leader of the Senate, Howard Baker, a Republican leader in the Senate, who has done some interesting work on these issues. A bipartisan task force, led by Howard Baker and Lloyd Cutler, working on these issues, said the following:

One of the first national security initiatives of the new President [should] be the formulation of a comprehensive, integrated strategic plan, done in cooperation with the Russian Federation, to secure and/or neutralize in the next eight to ten years all nuclear weapons-usable material located in Russia and to prevent the outflow from Russia of scientific expertise that could be used for nuclear or other weapons of mass destruction.

Baker recently told the Senate Foreign Relations Committee that:

It really boggles my mind that there could be 40,000 nuclear weapons in the former Soviet Union, poorly controlled and poorly stored, and that the world isn't in a near state of hysteria about the danger.

According to the Baker-Cutler panel's report:

In a worse case scenario, a nuclear engineer graduate with a grapefruit-sized lump of highly enriched uranium or an orange-sized lump of plutonium, together with material otherwise readily available in commercial markets, could fashion a nuclear device that would fit in a van like the one the terrorist Yosif parked in the World Trade Center 1993. The explosive effects of such a device would destroy every building in Wall Street financial area and would level lower Manhattan.

The most urgent unmet national security threat to the United States today is the danger that weapons of mass destruction or weapons-usable material in Russia could be stolen and sold to terrorists or hostile nation states and used against American troops or citizens at home.

The national security benefits to U.S. citizens from securing and/or neutralizing the equivalent of more than 80,000 nuclear weapons and potential nuclear weapons would constitute the highest return on investment in any current U.S. national security and defense program.

If we decide, as the President suggests, that we will abrogate the Anti-Ballistic Missile Treaty with Russia, Russia would respond by suspending their programs that Baker and Cutler say are so vital, and respond by increasing military cooperation with China, Iran, and others, and suspend plans to further reduce their own nuclear arsenal.

Let me talk about what we have been doing that is successful and why I am so concerned about this nomination. This chart shows what has happened with long-range missile warheads, ICBMs and SS-20s. We have had strategic arms reduction talks that have

resulted in a reduction in nuclear warheads and delivery vehicles. The INF and START talks resulted in a reduction of 6,000 warheads from long range missiles. Those 6,000 warheads represented the equivalent of 175,000 Hiroshimas; 175,000 equivalents of a Hiroshima bomb have been dismantled. Thousands still exist.

The question is, Is it moving in the right direction to begin talks and arms reduction treaties and agreements with the Soviets and the Russians, now, that reduce nuclear warheads and delivery vehicles? It seems to me that makes a great deal of sense.

This Congress, and previous Congresses, have funded the Nunn-Lugar program. We appropriate money in order to have the Russians reduce their nuclear warheads and their delivery vehicles according to the agreements we have with them. Because of Nunn-Lugar nearly 6,000 nuclear warheads are gone, 597 ICBMs are gone, 367 missile silos are gone, 18 ballistic missile submarines are gone, 81 heavy bombers are gone.

Here is a picture of a submarine. This is a Typhoon-class Russian submarine. That submarine is now being dismantled by the Nunn-Lugar program. Soon it will not exist anymore.

In fact, I have kept in my desk for some while a small container of copper. This is ground-up copper. This copper comes from wiring from a Delta-class ballistic missile submarine, a Russian submarine.

I ask consent to demonstrate the two pieces I have as a result of these arms reduction programs.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DORGAN. This wiring is ground-up copper wiring from a Russian submarine. We didn't sink that submarine. We weren't at war with Russia. We didn't destroy it. Through our arms reductions program, that submarine is dismantled and now doesn't exist. So I now stand in Washington, DC, holding up ground-up copper wire from a submarine that is now dismantled, a submarine of a former adversary. Does that make sense? A submarine with warheads aimed at American cities now no longer exists.

Or, this is a photograph of a Bear Bomber. This is a Russian heavy bomber. This is a piece of a wing strut from a Russian bomber. We didn't shoot down this bomber. I have this piece of wing strut from a bomber in Russia because we sawed the wings off. We helped pay for sawing the wings off and destroying those bombers. Why did they allow them to be destroyed? Because our arms control agreements with Russia required the reduction of both nuclear warheads and delivery vehicles: missiles, submarines, and long-range bombers. So I am able to hold up a part of a wing strut of a Russian bomber in Washington, DC. We didn't

have to shoot it down. All we had to do was help buy some saws to saw the wing off and dismantle that plane piece by piece. That bomber that carried nuclear bombs that threatened our country no longer exists.

Is that progress? I think it is.

So we have what is called the Nunn-Lugar program that we have funded. Despite this success, as I indicated, we have something more than 30,000 to 40,000 nuclear weapons left in the world, the bulk of them in the United States and in Russia. They have a total yield, it is estimated, of somewhere around 6,000 megatons. That is 6 billion tons of TNT. That is the equivalent power of 400,000 Hiroshima-type bombs—400,000 Hiroshima bombs.

The Hiroshima "Little Boy" bomb killed about 100,000 people. It was calculated the "Little Boy" bomb dropped on Hiroshima produced casualties 6,500 times more efficiently than the ordinary high-explosive bomb.

So the question for us is: Is there more to do in arms control, arms reduction? Is there more to do in stopping the spread of nuclear weapons? Will this country be a leader in those areas?

The answer for me, clearly, is yes. Yet today we consider the administration's nomination to be the Under Secretary of State for Arms Control, Mr. John Bolton, who has little experience in the area. But more alarming in my judgment, is that the expressions he has made about this subject in recent years suggest that he does not care a whit about arms control.

He seems to believe, as this administration does, that arms reductions are not part of a strategy that makes much sense for this country. Treaties, arms control talks, somehow represent a display of weakness, apparently, and that, if we could, we should just decide to go our own way, build national missile defense, not care what others do in reaction to it, and believe it doesn't matter how many nuclear weapons exist in the hands of the Russians, or how many nuclear weapons and delivery vehicles the Chinese might desire to consider in the coming years. It just doesn't matter, they say.

I think that is a very serious mistake for this country to believe that. In my judgment, it is a very serious policy mistake. I think if ever there is a case of a fox in a chicken coop it is Mr. Bolton's nomination to be Under Secretary of State for Arms Control. He is the wrong person in the wrong place.

Let me conclude as I started. I do not know Mr. Bolton personally, and I do not mean by my presentation to suggest he is not a perfectly good man, perhaps someone who is well educated—bright I am certain. I just feel very strongly, with respect to the consent requirement of the Senate, I want someone in the position of Under Secretary for Arms Control who believes

in arms control. I would like someone who believes in a missionary need for this country to provide world leadership in stopping the spread of nuclear weapons. I want someone who has passion about trying to engage with those who have nuclear arms and delivery vehicles in treaties and talks and agreements to reduce the number of nuclear weapons.

I do not suggest we do that from a position of weakness. We clearly do it from a position of strength. But those who suggest what happens in the rest of the world is irrelevant and the only thing that is relevant is what happens here are just plain wrong.

So I will be voting against Mr. Bolton's nomination. I hope others will do so as well. I hope perhaps with that vote we can send a message from this Senate to this administration that this is not the direction the American people want. This is not the direction the American people expect in terms of trying to reduce the threat of nuclear war, trying to reduce the spread of nuclear weapons, and trying to increase the opportunity to reduce the nuclear weapons that exist.

Madam President, I yield the floor. I make a point of order a quorum is not present.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. DORGAN. Madam President, I ask unanimous consent the order for the quorum call be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DORGAN. I ask consent to speak in morning business for 5 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### THE RELEASE OF VIOLENT OFFENDERS

Mr. DORGAN. Madam President, I have come to the floor repeatedly in recent years on the issue of violent offenders being released from prison early and in behalf of the people they have murdered while they have been on early release from incarceration for previous violent crimes.

I noticed in the last couple of days, once again we had a case—I wanted to certainly give the judges here their due—the case of a fellow named Robert Lee Dyer, reported in the papers. He is from Suitland, MD, arrested almost a year ago, charged with being a principal in the first degree in the shooting death of a man trying to withdraw money from an ATM machine. He was arrested with Antwon Reid, who was charged with murder in the first. Reid plead guilty, and is now serving a life sentence. Mr. Dyer had two bond hearings to determine whether he would be released on bond. The first hearing was before Judge Patrice Lewis. She gave

the defense attorney the authority to set up a property bond and come back in 1 week to see if it would be allowed.

At the second bond hearing, Judge Thurmond Rhodes set the bond of \$75,000. Mr. Robert Lee Dyer was released. So for \$75,000, this fellow, who had been involved in a murder crime, allegedly, was released.

The State's attorney vehemently opposed releasing him on bond. But Judge Thurman Rhodes nonetheless released him. The trial for that was scheduled to begin May 21 of this year. On May 2 of this year, this Mr. Dyer was arrested for killing Jamel Stephon Zimmerman. Dyer was the alleged shooter. It is said that there is a very strong case against him. A new bond hearing was scheduled for today at 1:15 in front of Judge Robert Heffron.

There is something fundamentally wrong when time after time after time people are either released from prison or, in this case, released on bond when we know they are violent. And yet they are released back to the streets to kill again.

I have spoken at great length about the case of Bettina Pruckmayer—and six or eight other cases—a young woman aspiring to begin a new life in Washington, DC; a young attorney, public spirited, working for a nonprofit organization, who pulls up to an ATM machine only to meet Leon Gonzalez Wright to be stabbed over 30 times and killed. Leon Gonzalez Wright had committed murder before, was let out early, picked up for hard drugs while he was let out on probation, and nobody puts him back in jail. Instead, he was walking the streets to kill Bettina Pruckmayer.

That and six or eight other cases I have described is going on all across this country. It is good time for good behavior, and release them early. In this case, don't keep them in jail. Let them post \$75,000 where they are on America's streets, and the result is innocent men and women are being murdered.

There is something wrong with the criminal justice system. I think what we ought to do is describe the differences that exist between those who commit violent crimes and those who commit nonviolent crimes. We ought to have people in this country understand that if they commit a violent crime, they are not going to have good time for good behavior. Whatever the judge says, their sentence is going to be that the jail cell number is going to be their address until the end of their sentence, and no good time off for good behavior.

The average sentence served for murder in this country is just over 8 years. The fact is, people are released early for a range of reasons. We know they are violent and they are back on America's streets.

A young woman from my State of North Dakota, who I have spoken